

At the Regular Meeting of the Greenville County Board of Supervisors, held on Monday, October 17, 2011, with Closed Session beginning at 4:30 P.M. and Regular Session beginning at 6:00 p.m., in the Board Room of the Greenville County Government Building, 1781 Greenville County Circle, Emporia, Virginia.

Present: Peggy R. Wiley, Chairman
Michael W. Ferguson, Vice-Chairman
James C. Vaughan
Dr. Margaret T. Lee

Chairman Wiley called the meeting to order at 5:00 p.m.

In Re: Closed Session

Mr. Whittington, County Administrator, stated that Staff recommended the Board go into Closed Session, Section 2.2-3711 (a) 1) Personnel, 3) Acquisition and Disposition of Real Property, 5) Industrial Development and 7) Legal Matters

Supervisor Ferguson moved, seconded by Supervisor Lee, to go into Closed Session, as recommended by Staff. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Regular Session

Supervisor Ferguson moved, seconded by Supervisor Lee, to go into Regular Session. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Certification of Closed Meeting – Resolution #12-51

Supervisor Ferguson moved, seconded by Supervisor Vaughan, to adopt the following Resolution. A roll call vote was taken, as follows: Supervisor Ferguson, aye; Supervisor Lee, aye; Supervisor Vaughan, aye; and Chairman Wiley, aye.

RESOLUTION #12-51
CERTIFICATION OF CLOSED MEETING

WHEREAS, the Greenville County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Greenville County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Greenville County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Greenville County Board of Supervisors.

Chairman Wiley recessed the meeting.

Chairman Wiley reconvened the meeting at 6:00 p.m., at which time she led the Pledge of Allegiance and gave the Invocation.

In Re: Approval of Agenda

Mr. Whittington, County Administrator, stated that Staff recommended approval of the Agenda with no added items

Supervisor Lee moved, seconded by Supervisor Ferguson, to approve the Agenda as submitted. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Approval of Consent Agenda

Mr. Whittington stated that Staff recommended approval of the Consent Agenda.

Supervisor Ferguson moved, seconded by Supervisor Vaughan, to approve the Consent Agenda containing the following items. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

Minutes from the Meeting of October 3, 2011.

Budgetary Matters

Budgetary Matters consisting of the following: Fund #001 – Journal Voucher #21, in the amount of \$60.00; Fund #012 – Re-Appropriations Resolution #12-52, in the amount of \$201,411.59, Re-Appropriations Resolution #12-53, in the amount of \$90,580.95, Budget Amendment Resolution #12-54, in the amount of \$1700.00, Budget Amendment Resolution #12-55, in the amount of \$350.00 and Fund #018 – Re-Appropriations Resolution #12-56, in the amount of \$90.75, all of which are incorporated herein by reference.

Warrants:

Approval of Accounts Payable for October 17, 2011, in the amount of \$180,995.37

In Re: Public Hearing

Mr. Whittington requested that the Board of Supervisors go into Public Hearing to solicit public comments regarding a Zoning Matter.

Supervisor Ferguson moved, seconded by Supervisor Vaughan, to go into Public Hearing. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: SP-4-11 – Christopher Jeffress

Mr. Lin Pope, Planning Director, addressed the Board of Supervisors stating that the applicant wished to place a temporary manufactured home upon his family's property to provide assistance to his brother due to the nature of his severe medical condition. He stated that the property was located approximately 2110' northeast of the Greenleaf Inn Road (State Route 647)/Chapmans Ford Road (State Route 605) intersection in Election District Three. Mr. Pope stated that Staff and the Planning Commission recommended approval with the following conditions.

1. A Special Use Permit is being granted to the applicant, Mr. Christopher T. Jeffress, to place a temporary manufactured home upon his family's property.
2. Development of the property is undertaken and maintained to the requirements of the Greenville County Zoning Ordinance, specifically Article 3-11, the Virginia Uniform Statewide Building Code, and the Virginia Department of Health's Regulations (specifically, to record in the Clerk's Office, the Health Department's Conditional Use Permit.)
3. Once the applicant's brother is no longer able to reside upon the property, or the handicap no longer exists, the manufactured home shall be removed from the property within sixty (60) days and the Building and Planning Departments notified.
4. Failure to abide by the above conditions may result in the immediate revocation of the Special Use Permit.

In Re: Regular Session

Mr. Whittington recommended the Board of Supervisors return to Regular Session.

Supervisor Ferguson moved, seconded by Supervisor Vaughan, to return to Regular Session. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Sp-4-11 – Christopher Jeffress

Supervisor Lee moved, seconded by Supervisor Ferguson, to approve SP-4-11 with the four conditions. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Removal of Storm Debris from Public Right-of-Way

Mr. Joe Lomax addressed the Board of Supervisors and stated that VDOT personal forces helped with opening the roads and everything went well. He stated that the district hired a contractor, DRC to remove the debris. Mr. Lomax stated that he had a foot print of the entire district which had forces come to Greenville first which is why they came in and cut then left to go to other counties. Mr. Lomax stated that there were multiple sub-contractors and it appeared that there was trouble keeping up with whom was doing what because there was so much out there. Mr. Lomax also stated that resources had been bought in and he had a map to hand out to the Board of the areas that had been completed and areas that still needed work. Mr. Lomax stated that all counties wanted a schedule and at the present time, his office was working on that.

Supervisor Ferguson asked why it would take 30 to 60 days for the company to come back and pick up the debris when they could have taken it when they did the cutting of the debris. He also complained about logs being placed on the shoulder of the roads against the asphalt and that it was a safety hazard.

Mr. Lomax stated that VDOT was not responsible for the way DCR handled their operation but to his understanding, they had different people with different expertise and he did not understand the reasoning either. He stated that VDOT had a meeting with DCR today and that it was admitted that they had started in the area and then pulled out.

A lot of discussion was held regarding the handling of the debris and flagmen not being available at the work sites. Chairman Wiley asked how much the company was being paid. Mr. Lomax stated that he did not know but would find out the information and forward it to her at a later date.

In Re: Citizens Comments

Mr. Whittington invited anyone present who wished to address the Supervisors, to come forward and state their name for the record. There was no one.

In Re: FEMA Application for Assistance Resolution #12-57

Mr. Whittington stated that Greenville County would be meeting with FEMA and VDEM to begin a process for filing for reimbursement of the County's expenditures. He stated that the resolution authorized the Finance Director, Brenda Parson and Reggie Owens, the Emergency Services Coordinator, as designated agents for the County for the purpose of reimbursement. He requested approval of the following resolution.

RESOLUTION # 12-57
APPLICATION FOR ASSISTANCE

WHEREAS, the Greenville County Board of Supervisors previously declared a local emergency due to the occurrence of Hurricane Irene during the time period of August 26-28, 2011; and

WHEREAS, Staff has met with Federal Emergency Management Agency and Virginia Department of Emergency Management officials to file the preliminary damage assessment reports; and

WHEREAS, the County received a Presidential Declaration on September 28, 2011, thus qualifying the County for public assistance; and

WHEREAS, a Kick-Off meeting was held with the FEMA and State teams to begin the process of filing for reimbursement of storm related expenditures.

NOW THEREFORE BE IT RESOLVED that the Greenville County Board of Supervisors authorizes the execution and filing of all required documents for the purpose of obtaining state and federal financial assistance.

NOW THEREFORE BE IT FURTHER RESOLVED the Greenville County Board of Supervisors authorizes Brenda Parson, Director of Finance and Reggie Owens, Emergency Services Coordinator be designated as agents of the County for this purpose.

Supervisor Ferguson moved, seconded by Supervisor Lee, to approve Resolution #12-57. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: GCWSA Financing Documents

Mr. Whittington stated that the approval of a resolution would be requested in the Authority's meeting also due to approval by the Board of Supervisors. He stated that the Board's Bond Counsel had drafted Resolution #12-58 of the Board of Supervisors which authorized the execution of a Support Agreement providing the Greenville County Moral Obligation to make certain appropriations with the respect of the Water and Sewer System Revenue Bond of the Greenville County Water and Sewer Authority and the Support Agreement required by the Virginia Resources Authority and the attempt by the Greenville County Water and Sewer Authority to borrow funds for the expansion of the Three Creek Sewage Treatment Plant. He requested approval of the following resolution.

**RESOLUTION #12-58 OF THE BOARD OF SUPERVISORS
OF GREENSVILLE COUNTY, VIRGINIA, AUTHORIZING
THE EXECUTION OF A SUPPORT AGREEMENT
PROVIDING FOR GREENSVILLE COUNTY, VIRGINIA'S
MORAL OBLIGATION TO MAKE CERTAIN
APPROPRIATIONS WITH RESPECT TO A WATER
AND SEWER SYSTEM REVENUE BOND OF THE
GREENSVILLE COUNTY WATER AND SEWER
AUTHORITY**

The Greenville County Water and Sewer Authority (the "Authority") presently owns, operates and maintains water and sewer facilities to provide for the water and sewer needs of the residents of Greenville County, Virginia (the "County").

The Authority proposes to issue its Water and Sewer System Revenue Bond, Series of 2011 (the "2011 Bond"), to finance all or a portion of (i) the design of the expansion of the Three Creek Wastewater Treatment Plant, (ii) solid waste handling

improvements to the Three Creek Wastewater Treatment Plant, and (iii) improvements to

the Jarratt Wastewater Treatment Plant, together with issuance costs in connection therewith, and to cause the 2011 Bond to be sold to the Virginia Resources Authority ("VRA") pursuant to the terms of a Local Bond Sale and Financing Agreement (the "Financing Agreement"), between the Authority and VRA.

The Authority has required the Board of Supervisors of the County to enter into a Support Agreement, among the Authority, the Board of Supervisors of the County and VRA (the "Support Agreement"), the form of which has been presented to this meeting and filed with the County and to acknowledge certain matters as conditions to VRA's purchase of the 2011 Bond.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF GREENSVILLE COUNTY, VIRGINIA:

1. The Board of Supervisors of the County (i) acknowledges that the 2011 Bond may be payable from and will be secured by amounts derived pursuant to the Support Agreement, (ii) acknowledges that VRA would not purchase the 2011 Bond without the security and credit enhancement provided by the County, and (iii) acknowledges that both the 2011 Bond and the Support Agreement are "local obligations" within the meaning of Section 62.1-199 of the Code of Virginia, 1950, as amended.

2. The Support Agreement is approved in substantially the form presented to this meeting, with such changes, insertions or omissions as may be approved by the Chairman or Vice-Chairman of the Board of Supervisors of the County or the County Administrator, whose approval shall be evidenced conclusively by the execution and delivery of the Support Agreement on the County's behalf. The Chairman or Vice Chairman of the Board of Supervisors of the County or the County Administrator is authorized to execute and deliver the Support Agreement and such other documents and certificates as such officer may consider necessary in connection therewith.

3. As provided in the Support Agreement, the Board of Supervisors of the County hereby undertakes a non-binding obligation to appropriate to the Authority such amounts as may be requested from time to time pursuant to the Support Agreement, to the fullest degree and in such manner as is consistent with the Constitution and laws of the Commonwealth of Virginia. The Board of Supervisors of the County, while recognizing that it is not empowered to make any binding commitment to make such appropriations in future fiscal years, hereby states its intent to make such appropriations in future fiscal years, and hereby recommends future Boards of Supervisors of the County do likewise during the term of the Support Agreement.

4. The County Administrator is hereby authorized and directed to take such actions and give such notices as may be required of him under the Support Agreement.

5. All resolutions or parts thereof in conflict herewith are hereby repealed.

6. This Resolution shall take effect immediately upon its adoption.

Supervisor Ferguson moved, seconded by Supervisor Vaughan, to approve Resolution #12-58. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Amendment #40 to the Administrative Manual

Mr. Whittington addressed the Board of Supervisors stating that Staff requested approval Amendment #40 to the Administrative Manual regarding negotiations with the lowest responsible bidder. He stated that at the last meeting, staff provided the Board with a recommendation to reject some bids regarding the Solid Waste Collection System but there needed to be in place a process by which Staff had the authority under the generic administrative policy provision that would allow the County to negotiate in certain instances.

Mr. Ferguson moved, seconded by Supervisor Lee, to approve Amendment #40 to the Administrative Manual. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Wood Fuel Developers Economic Development Grant

Mr. Clements addressed the Board of Supervisors and requested approval of the Local Business and Employment Plan, the Residential Anti-Displacement and Relocation Assistance Plan, the Non-Discrimination Policy, the Fair Housing Certification and the Section 504 Grievance Procedure that were required by the Virginia Department of Housing and Community Development to acquire a grant in the amount of \$700,000 for Wood Fuel Developers.

Supervisor Ferguson moved, seconded by Supervisor Lee, to approve the documents required by the VDHCD to obtain a grant in the amount of \$700,000 for Wood Fuel Developers. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Adjournment

There being no further business, Supervisor Lee moved, seconded by Supervisor Vaughan, to adjourn the meeting. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

Peggy R. Wiley, Chairman

K. David Whittington, Clerk